

Amendments to Senate Bill No. 390
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SENATE FISH AND GAME

EXHIBIT NO. 4

DATE 3/24/11

BILL NO. SB 390

Requested by Senator Art Wittich

For the Senate Fish and Game Committee

Prepared by Joe Kolman
March 24, 2011 (9:24am)

1. Title, line 6.

Strike: "INCREASING" through "LICENSE FEE"

Insert: "CREATING A DONATION OPTION"

2. Title, line 8.

Strike: "87-2-202,"

Insert: "87-2-903,"

3. Page 3, line 14.

Following: "[section]"

Strike: "4"

Insert: "5"

4. Page 5, line 14 through page 8, line 7.

Strike: Section 2 in its entirety

"Section 2. Section 87-2-903, MCA, is amended to read:

**"87-2-903. Compensation, fees, and duties of agents --
penalty for late submission of license money.** (1) License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined by rules adopted pursuant to subsection (9).

(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A financial institution or credit card company may not prohibit collection of the convenience fee provided for in this subsection.

(3) Each license agent shall submit to the department the money received from the sale of licenses and donations received pursuant to [section 4], less the appropriate commission and convenience fee.

(4) Each license agent shall submit to the department copies of each paper license sold.

(5) The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.

(6) The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director,

the wardens, or the legislative auditor.

(7) For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. The term does not include donations collected pursuant to [section 4].

(8) If a license agent fails to submit to the department all money received from the declared sale of licenses and donations received pursuant to [section 4], less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.

(9) The department may adopt rules necessary to implement this section."

{Internal References to 87-2-903: None.}

Renumber: subsequent sections

5. Page 8, line 18.

Following: line 17

Insert: "NEW SECTION. **Section 4. Donation option for wildlife population management.** (1) Unless a person exercises the option in subsection (2), a person who applies for or purchases a deer or elk license donates \$1, in addition to the price of each license, for the purposes of wildlife population management as provided in [section 5].

(2) A person who applies for or purchases a deer or elk license may make a written election not to pay the donation of \$1 provided for in subsection (1). If a written election is made, the donation may not be collected."

6. Page 8, line 28.

Strike: "the sale" through "87-2-202"

Insert: "donations received pursuant to [section 4]"

7. Page 9, line 4 through line 6.

Following: "wolves"

Strike: ";" on line 4 through "the department" on line 6

Insert: ", including the authority "

Renumber: subsequent subsections

8. Page 9, line 8.

Strike: "."

Insert: ";

9. Page 9, line 17.

Strike: "[Section 4] is"

Insert: "[Sections 4 and 5 are"